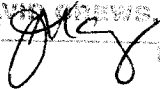


FILED

JUN 17 2011

**IN THE UNITED STATES DISTRICT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

DAVID J. JONES, CLERK
BY  Deputy

LEXIE M. MYERS

PLAINTIFF

VS.

CAUSE NO.: 2:11CV133-B-A

**GGNSC HOLDINGS, LLC,
GGNSC SOUTHAVEN, LLC
d/b/a GOLDEN LIVING CENTER - SOUTHAVEN**

DEFENDANT

NOTICE OF REMOVAL

COMES NOW Defendants GGNSC Holdings, LLC and GGNSC Southaven, LLC d/b/a Golden Living Center – Southaven (“GGNSC” or “Defendants”), by and through counsel, and files this its Notice of Removal of this action to the United States District Court for the Northern District of Mississippi, Delta Division, and sets forth the following grounds for removal, to-wit:

1. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.
2. Plaintiff Lexie M. Myers (“Plaintiff”) filed this action against Defendant on or about May 16, 2011 in the Circuit Court of DeSoto County, Mississippi. Defendants were served with process on May 16, 2011. Pursuant to the provisions of §§ 1441 and 1446 of Title 28 of the United States Code, Defendants timely remove this action to the United States District Court for the Northern District of Mississippi, Delta Division, which is the judicial district and division in which the action is pending.
2. This action alleges a claim for damages based upon alleged medical negligence at GGNSC on or about January 22, 2007.

3. Plaintiff was at the time of the commencement of the action a citizen of the State of Mississippi. According to the Complaint GGNSC Holdings, LLC is an Arkansas limited liability company with its principle place of business located in the State of Arkansas, and GGNSC is a Delaware limited liability company with its principal place of business located in the State of Delaware. There is complete diversity of citizenship, therefore, between the Defendants and Plaintiff.

4. Removal of this action to the United States District Court is proper under 28 U.S.C. § 1441(a) and (b), given that there is complete diversity of citizenship between Plaintiff and the Defendants, as the Defendants are not a citizen of the State of Mississippi. The United States District Court would, therefore, have had original jurisdiction of this matter pursuant to 28 U.S.C. § 1332 had the action originally been filed in Federal Court. Defendants' Notice of Removal is timely because the Notice was filed in this Court within thirty (30) days after receipt by the Defendants "of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable. . . ". 28 U.S.C. § 1446(b). Defendants file a copy of all process, pleadings and orders served on said Defendants in the action. Further, the complete file of the DeSoto County Circuit Court will be filed once provided by that Court.

WHEREFORE PREMISES CONSIDERED, Defendants GGNSC Holdings, LLC and GGNSC Southaven, LLC d/b/a Golden Living Center - Southaven pray that this Court will exercise jurisdiction and proceed with the handling and disposition of this case, and all claims asserted herein, and that all further proceedings in the Circuit Court of DeSoto County, Mississippi be hereby stayed.

Respectfully submitted this the 17th day of June, 2011.

**GGNSC HOLDINGS, LLC AND GGNSC
SOUTHAVEN, LLC D/B/A GOLDEN
LIVING CENTER – SOUTHAVEN,
Defendants**

By: 

**L. BRADLEY DILLARD
Mississippi Bar No. 10114**

OF COUNSEL:

**MITCHELL, McNUTT & SAMS, P.A.
105 SOUTH FRONT STREET
POST OFFICE BOX 7120
TUPELO, MISSISSIPPI 38802-7120
(662) 842-3871 (telephone)
(662) 842-8450 (facsimile)**

CERTIFICATE OF SERVICE

I, L. BRADLEY DILLARD, one of the attorneys for Defendants GGNSC Holdings, LLC and GGNSC Southaven, LLC d/b/a Golden Living Center – Southaven do hereby certify that I have this date forwarded, via U.S. Mail, postage prepaid, a true and correct copy of the above and foregoing Notice of Removal to the following counsel:

William R. Bruce, Esq.
707 Adams Avenue
Memphis, TN 38105

THIS the 17th day of June, 2011.



L. BRADLEY DILLARD